

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN

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In re:

James R. Swaney, Jr.

Case No.: 19-20464 BEH  
Chapter 13

Debtor(s).

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**NOTICE AND REQUEST TO AMEND UNCONFIRMED CHAPTER 13 PLAN**

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James R. Swaney, Jr. filed papers with the Court requesting amendment of the unconfirmed Chapter 13 Plan in the above case.

**Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)**

If you do not want the Court to confirm the amended plan as proposed, or if you want the Court to consider your views on the request, then on or before 21 days after service of this notice, you or your attorney must:

File with the Court a written request for hearing that contains a short and plain statement of the factual and legal basis for the objection. File your written request electronically or mail it to:

Clerk of Bankruptcy Court  
517 E. Wisconsin Avenue  
Room 126  
Milwaukee, WI 53202-4581

If you mail your request to the Court for filing, you must mail it early enough so the Court will receive it on or before the expiration of 21 days.

If you or your attorney do not take these steps, the Court may decide that you do not oppose the request and enter an order confirming the amended Chapter 13 plan.

Attorney Jennifer L. Riemer  
Thorpe & Christian, SC  
1624 Hobbs Drive, Suite 1  
Delavan, WI 53115  
Telephone: 262 740 1971  
Facsimile: 262 740 1090  
jriemer@thorpechristian.com

## REQUEST TO AMEND UNCONFIRMED CHAPTER 13 PLAN

1. This request to amend an unconfirmed Chapter 13 Plan **SUPERSEDES ALL PRIOR REQUESTS TO AMEND THE PLAN AND INCLUDES ALL PROPOSED AMENDMENTS. TERMS NOT FULLY STATED HERE OR IN THE ORIGINAL PLAN ARE NOT PART OF THE PLAN.**
2. Service. A certificate of service must be filed with the amendment. Designate one of the following:

A copy of this proposed amendment has been served on the trustee, United States trustee and all creditors, or

A motion requesting limited service is being filed simultaneously with the Court.
3. The Chapter 13 Plan filed with the Court is amended as follows:
  - a). Plan payments shall be \$1,516.27 per month.
  - b). Debtor Payroll deductions shall be \$ 379.07 weekly.
  - c). The Trustee shall pay the supplemental claim for post-petition mortgage arrears to Freedom Mortgage Corporation in the amount of \$7,458.20.
  - d). The secured claims of Landmark Credit Union secured by the 2016 Polaris Snowmobile and by the 2016 Yamaha Snowmobile shall be paid pro rata plus interest at the rate of 7.50%.

All remaining terms of the original Chapter 13 Plan are unaffected. In the event of a conflict between the terms of the original Plan and the terms of this amendment, the terms of this amendment control.

WHEREFORE, each Debtor requests that the Court approve this proposed amendment to the original Chapter 13 Plan.

## CERTIFICATION

The Debtor's attorney must sign this certification. A Debtor represented by an attorney may sign this certification. If the Debtor does not have an attorney, the Debtor must sign this certification.

**The provisions in this Chapter 13 plan are identical to those contained in the official local form other than the changes listed in part 3.**

I certify under penalty of perjury that the foregoing is true and correct.

Respectfully submitted this 19<sup>th</sup> day of March, 2020.

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James R. Swaney, Jr.  
Debtor

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Jennifer L. Riemer SBN 1030765  
Attorney for Debtor  
Thorpe & Christian, SC  
1624 Hobbs Drive, Suite 1  
Delavan, WI 53115  
262 740 1971  
jriemer@thorpechristian.com

**U.S. BANKRUPTCY COURT  
EASTERN DISTRICT OF WISCONSIN**

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In re:  
JAMES R. SWANEY, JR.

Case No.: 19-20464-BEH

Debtor.

Chapter 13

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**CERTIFICATE OF SERVICE**

On March 23, 2020, I, Michelle Lynch, served a copy of the NOTICE AND REQUEST TO AMEND UNCONFIRMED PLAN on the following persons in the following manner:

1. Deposited for delivery by the United States Postal Service, via First Class United States Mail, postage prepaid, to the parties:

X (A) listed on the most current mailing matrix, a copy of which is attached to this certificate as Attachment A.

\_\_\_\_\_ (B) listed on Attachment B. [If you choose this option, you must insert the name of each person/entity served, position of person (if applicable) and full mailing address]. n/a
2. By certified mail addressed to the entities listed on Attachment C. [If you choose this option, you must include the name of the officer of each entity served, full name of the entity, and full mailing address]. n/a
3. Other service method: [insert relevant details of service]. n/a

I certify under penalty of perjury that the foregoing is true and correct.

Executed on: 3/23/2020

Michelle Lynch  
Michelle Lynch  
Thorpe & Christian, SC  
1624 Hobbs Drive, Suite 1  
Delavan, WI 53115

\* If making a request for the court to determine the amount of a secured claim (11 U.S.C. §506) or avoid the fixing of a lien on exempt property (11 U.S.C. §522(f)) in a chapter 13 plan, the plan must be served in the manner provided for by Fed. R. Bankr. P. 7004. See Fed. R. Bankr. P. 3012(b), 4003(d), 7004(b)(3) (service upon a domestic or foreign corporation, partnership, or other unincorporated association), 7004(h) (service by certified mail on an insured depository institution).\*\* It is not necessary to certify that participants in the Court's Electronic Noticing System were served electronically with the documents by the ECF/PACER system.

Label Matrix for local noticing  
0757-2  
Case 19-20464-beh  
Eastern District of Wisconsin  
Milwaukee  
Thu Mar 19 11:50:45 CDT 2020

Americollect  
P.O. Box 1505  
Manitowoc, WI 54221-1505

ATTACHMENT A  
Freedom Mortgage Corporation  
10500 Kincaid Blvd  
Fisher, IN 46037-9764

Landmark Credit Union  
c/o Mark C. Darnieder  
Darnieder & Sosnay  
735 N. Water St., Suite 930  
Milwaukee, WI 53202-4105

Centurion Capital Corp.  
700 King Farm Blvd #507  
Rockville, MD 20850-5736

Check Into Cash  
1432 E. Geneva Street  
Delavan, WI 53115-2025

Check N Go  
1833 Geneva St. Suite C  
Delavan, WI 53115

Childrens Hospital  
PO Box 1997  
Milwaukee, WI 53201-1997

Credit One Bank  
PO Box 60500  
City of Industry, CA 91716-0500

FNB Omaha  
PO box 2557  
Omaha, NE 68103-2557

(p) FIRST COMMUNITY CREDIT UNION  
1702 PARK AVENUE  
ATTN BOBBIE ENNOCENTI  
BELOIT WI 53511-3549

(p) PERI GARITE  
ATTN CARD WORKS  
101 CROSSWAYS PARK DR W  
WOODBURY NY 11797-2020

Fox Community Credit Union  
1702 Park Avenue  
Beloit, WI 53511-3536

Freedom Mortgage  
907 Pleasant Valley Ave. Ste 3  
Mount Laurel, NJ 08054-1210

Freedom Mortgage Corporation  
10500 Kincaid Drive  
Fishers, IN 46037-9764

James Swaney Sr.  
236 Walworth St.  
Sharon, WI 53585-9509

LVNV Funding, LLC  
Resurgent Capital Services  
PO Box 10587  
Greenville, SC 29603-0587

(p) LANDMARK CREDIT UNION  
P O BOX 510870  
NEW BERLIN WI 53151-0870

Marlyne Hennig  
903 Eastown Manor  
Elkhorn, WI 53121-2123

Mercy Health System  
1000 Mineral Point Avenue  
Janesville, WI 53548-2940

Net Credit Financial  
175 W. Jackson Blvd. Ste. 1000  
Chicago, IL 60604-2863

Office of the U. S. Trustee  
517 East Wisconsin Ave.  
Room 430  
Milwaukee, WI 53202-4510

Palisades Acquisitions XVI  
c/o Daubert Law Firm, LLC  
P.O. Box 1519  
Minneapolis, MN 55440-1519

State Collection Service  
P.O. box 6250  
Madison, WI 53716-0250

Walworth Co Clerk of Courts  
PO Box 1001  
Elkhorn, WI 53121-1001

World Finance Corporation  
P.O. Box 6429  
Greenville, SC 29606-6429

James R Swaney Jr.  
112 Church St.  
Sharon, WI 53585-9779

Jennifer L. Riemer  
Thorpe & Christian, S.C.  
1624 Hobbs Drive, Suite 1  
Delavan, WI 53115-2000

Scott Lieske  
Chapter 13 Trustee  
P.O. Box 510920  
Milwaukee, WI 53203-0161

Charles A. Crnic  
Klatt Law Office  
925 E. 4th St.  
Waterloo, IA 50703

The preferred mailing address (p) above has been substituted for the following entity/entities as so specified by said entity/entities in a Notice of Address filed pursuant to 11 U.S.C. 342(f) and Fed.R.Bank.P. 2002 (g)(4).

First Community Credit Union  
P.O. Box 978  
Beloit, WI 53512

First National Bank of Omaha  
1620 Dodge Street, Stop code 3105  
Omaha, NE 68197

Landmark Credit Union  
PO Box 510870  
New Berlin, WI 53151

End of Label Matrix		James A. Hiller
Mailable recipients	28	Hiller Law Office
Bypassed recipients	0	6815 W. Capitol Drive Ste. 214
Total	28	Milwaukee, WI 53216